

MINUTES

DAKOTA COUNTY PHYSICAL DEVELOPMENT COMMITTEE OF THE WHOLE

August 17, 2010

14955 Galaxie Avenue, Conference Room L139, Apple Valley, Minnesota

1. CALL TO ORDER AND ROLL CALL

Commissioner Paul Krause, Chair of the Physical Development Committee of the Whole, called the meeting to order at 10:45 a.m. Commissioners in attendance:

Commissioner Joseph A. Harris, District 1
 Commissioner Kathleen Gaylord, District 2
 Commissioner Thomas Egan, District 3
 Commissioner Nancy Schouweiler, District 4
 Commissioner Liz Workman, District 5
 Commissioner Paul J. Krause, District 6
 Commissioner Willis E. Branning, District 7

Also in attendance were:

Brandt Richardson, County Administrator
 Lynn Thompson, Division Director
 Jay Stassen, Assistant County Attorney
 Jeanne Nash Hoffmann, Administrative Coordinator

2. INTRODUCTION OF NEW STAFF

There was no new staff to introduce this month.

3. AUDIENCE

Chair Krause asked if anyone in the audience wished to address the Committee on an item not on the agenda or if anyone wished to discuss an item on the Consent Agenda. No one came forward.

4. APPROVAL OF THE AGENDA

Motion by Commissioner Schouweiler, Second by Commissioner Harris, and passed on a 7-0 to approve the agenda as presented on August 17, 2010.

5. CONSENT/INFORMATION AGENDA

Motion by Commissioner Schouweiler, Second by Commissioner Gaylord, and passed on a 7-0 vote to approve the consent agenda with the removal of item 5.3 for discussion.

5.1 – Minutes Of The July 27, 2010 Meeting

5.2 –Update On Hauler Financial Incentive Payment Program

This was an information item; no action was requested.

5.4 –Plat Commission Update – This was an information item; no action was requested.

6. REGULAR AGENDA

5.3 – Authorization To Execute A Joint Powers Agreement With Eureka Township For Funding Of Waste Tire Collection Event

This item was pulled to discuss whether the Metropolitan Mosquito Control District (MMCD) could provide either the same service as these tire collection events, or whether they could provide funding for these waste tire collection events. Staff was directed to contact the MMCD prior to adoption of this resolution by the County Board at their August 24, 2010 meeting.

Motion by Commissioner Gaylord, Second by Commissioner Workman and passed on a 7-0 vote to recommend that the County Board adopt the following resolution:

WHEREAS, waste tires serve as a mosquito breeding habitat posing a public health risk because of the possible transmission of mosquito-borne viruses; and

WHEREAS, Eureka Township wishes to sponsor a waste tire collection event for Dakota County residents in 2010; and

WHEREAS, Eureka Township has requested funding from Dakota County to aid in the costs related to the hauling and disposal of the tires collected during the waste tire collection event; and

WHEREAS, the 2010 Dakota County Environmental Management Department budget includes funding for waste tire management activities; and

WHEREAS, the Eureka Township waste tire collection event will be of benefit to Dakota County residents; and

WHEREAS, the Environmental Management Department recommends that Dakota County execute a joint powers agreement with Eureka Township that provides that the County will reimburse the Township in an amount not to exceed \$8,500 for the costs incurred by the Township for the hauling and disposal of waste tires collected during the Township's 2010 waste tire collection event.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute a joint powers agreement with Eureka Township, as presented to the Physical Development Committee of the Whole on August 17, 2010, subject to approval by the County Attorney's Office as to form.

6.1 – Update on Water Quality Issues For Thompson Lake

Al Singer, Farmland and Natural Area Program Manager, briefed the Committee on the water quality issues for Thompson Lake and the recent results of work by the project partners to clean up the pollution in the Lake. Because of the polycyclic aromatic hydrocarbons (PAH) discovered in the recent lake sediment testing, the County's approach to the land purchase from St. Croix Lutheran High School has changed. The City will purchase the land they need for a stormwater basin; the County will acquire the land they need for the trail around Thompson Lake.

Discussion was held on the pollutant PAH's (which is derived from coal-tar that is found in driveway and parking lot sealants). Since the discovery of the pollutants in the Lake, the City of West St. Paul is exploring funding options for removal of the contaminants. The goal of the project is to make Thompson Lake fishable and swimmable for the 90,000 annual visitors. Al explained all of the project partners and the next steps in the process which include conducting additional testing, finalizing the stormwater basin design, implementation improved watershed management by the City of West St. Paul, acquisition of the land needed for the trail (County) and for the stormwater basin (City), the refinement of St. Croix Lutheran High School stormwater plan, and the continuation of water quality monitoring.

Discussion continued on the quality and safety of consumption of aquatic life in the Lake and whether caution warnings should be posted. Al explained that the fish are reintroduced each year; however, snails are collected from the beaches and consumed by some park visitors. It was noted that this issue is a wide-spread issue; the Minnesota Legislature held discussions on banning the coal-tar products during their last session.

This was an information item; no action was requested.

6.2 – Authorization To Release Draft Vermillion River Corridor Plan For Public Review

Al Singer, Farmland and Natural Areas Program Manager, along with Mary Jackson, Senior Planner with the Office and Planning and Analysis briefed the Committee on the Vermillion River Corridor Plan and responded to questions.

Motion by Commissioner Harris, Second by Commissioner Egan and passed on a 7-0 vote to recommend that the County Board adopt the following resolution.

WHEREAS, in 2008, the Minnesota Legislature awarded Dakota County funding via the Legislative-Citizen Commission on Minnesota Resources to develop an integrated Vermillion River Corridor Plan (Plan) for water quality, wildlife habitat and outdoor recreation, and to conduct pilot implementation projects in the Corridor by June 2011; and

WHEREAS, Corridor planning efforts have focused on 1) engaging the public and partners to build a shared Corridor vision for corridor improvement, and 2) identifying implementation approaches, partnership opportunities, and coordination needs; and

WHEREAS, the Plan integrates findings from extensive engagement of Corridor stakeholders, new research conducted by the Vermillion River Watershed Joint Powers Organization, and community visions from recently updated local comprehensive plans; and

WHEREAS, the overall emphasis of the Plan is to reinforce and protect the ecology and natural systems of the Corridor as a framework for recreation and future growth and development; and

WHEREAS, the County will benefit from additional public comment on this draft document prior to final adoption of the Plan.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the release of the Draft Vermillion River Corridor Plan for a thirty-day public review and comment period.

6.3 – Authorization To Execute Contract amendment With SRF Consulting Group, Inc. For Cedar Avenue Bus Rapid Transit Bus Shoulder And Roadway Improvements Final Design

Mark Krebsbach briefed this item and responded to questions. Mark indicated that he would tighten up the process for these projects so the County Board is notified before cost overruns escalate.

Motion by Commissioner Egan; Second by Commissioner Branning and passed on a 7-0 vote to recommend that the County Board adopt the following resolution:

WHEREAS, SRF Consulting Group Inc. is under contract to perform bus shoulder and roadway improvements final design work on the Cedar Avenue Transitway project for a total cost not to exceed \$2,056,000 by July 31, 2010; and

WHEREAS, several elements of the bus shoulder and roadway improvements final design require out of scope and unforeseen work including design modifications to minimize property acquisitions, and design of 19 additional retaining walls; and

WHEREAS, the out of scope and unforeseen work includes several revisions to the preliminary geometric design to address access modifications, signal locations, number of turn lanes at intersections, median widths, pedestrian crosswalks and lane widths; and

WHEREAS, the out of scope and unforeseen work includes traffic analysis, circulation and evaluation of potential impacts on properties, preparation of additional signal reports consistent with Minnesota Department of Transportation State Aid requirements, additional detailed analysis of existing storm sewer and water shed from the corridor, and design storage for offsite drainage connections based on the retaining walls; and

WHEREAS, the out of scope and unforeseen work includes modifications to the bus pullouts lengths, construction specifications and plan modifications; and

WHEREAS, the Dakota County Regional Railroad Authority previously approved \$39,9070.38 along with the City of Apple Valley providing \$39,907.38 for design of additional streetscaping elements estimated at \$79,814.77, which will be included in the amendment to the SRF contract; and

WHEREAS, the City of Apple Valley previously approved up to \$20,485 for City of Apple Valley utility design funded 100% by the City of Apple Valley, which will be included in the amendment to the SRF contract; and

WHEREAS, County staff recommends that the contract with SRF Consulting Group, Inc. be amended to include professional services to complete the final design together with the previously approved extra work in the amount of \$565,940.80.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute a contract amendment with SRF Consulting Group Inc. to increase the budget for final design for the Cedar Avenue Bus Rapid Transit Corridor by \$565,940.80, for a total amount not to exceed \$2,621,940.80, and to extend the contract term to November 30, 2010, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the 2010 Dakota County Transportation CIP budget is hereby amended as follows:

Expense

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| Cedar Avenue Transitway BRT (23-59) | \$565,940 |
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| Total Expense | \$565,940 |
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Revenue

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| Cedar Avenue Transitway BRT State Bond Funds (committed) | \$200,000 |
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| Cedar Avenue Transitway BRT State Bond Funds (additional) | 265,641 |
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| Regional Rail Authority – streetscape design | 39,907 |
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| City of Apple Valley- streetscape design | 39,907 |
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| City of Apple Valley – utility design | 20,485 |
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| Total Revenue | \$565,940 |
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| DIRECTOR'S REPORT |
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Physical Development Division Director Lynn Thompson presented her update to the Committee.

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| ADJOURNMENT |
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Motion by Commissioner Egan, Second by Commissioner Schouweiler, and passed on a unanimous voice vote to adjourn the meeting at 12:57 p.m.

Respectfully submitted:

Jeanne Nash Hoffmann
Administrative Coordinator